IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO : 22094 of 2005

Between:

P.Khaja Bhanda Nawaz, S/o.Abdul Manaf,
R/o.Peddamavari Veedi, Gonegandal Mandal,

Kurnool District.

..... PETITIONER

AND

1. The District Collector, Kurnool.

2. The Joint Collector, Kurnool District.

3. The Revenue Divisional Officer, Adoni, Kurnool district.

4. Vishalakshmi, W/o.Venugopal,
R/o.Peddamvariveedu, Kurnool District.

...RESPONDENTS

* * *

ORDER:

Challenging the order of the District Collector, Kurnool District in Rc.C.S.3/455/2005, dated 29.08.2005 remanding the matter for fresh

enquiry for appointing fair price shop dealer at Peddamavari Veedu village, Gonegandla Mandal, Kurnool District, the present writ petition has been filed.

2. Learned counsel for the petitioner contended that the qualification of the petitioner and the 4th respondent is one and the same, therefore, there is no question of thorough verification of qualifications by the Revenue Divisional Officer.

3. On the other hand, learned Government Pleader for Civil Supplies contended that the Revenue Divisional Officer has to conduct interview in accordance with remand order after giving an opportunity to both the parties, and therefore, the order does not suffer from any infirmity so as to call for any interference by this Court. The Collector has given a finding stating that the orders of the Revenue Divisional Officer have no clarity and free from fairness. The qualifications possessed by the petitioner and 4th respondent were not thoroughly verified by the Revenue Divisional Officer. In such a view of the matter, the case was remanded to the Revenue Divisional Officer for fresh enquiry.

4. The order under challenge does not suffer from any infirmities so as to call for interference by this Court. There are some reasons on which the order of Joint Collector has been set aside and remanded the matter to the Revenue Divisional Officer for fresh enquiry. So, the order under challenge cannot be shown to be perverse so as to interdict the same. There are no merits in the writ petition.

5. The writ petition is, accordingly, dismissed. No costs.

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K.C.BHANU, J.

Date: 07th October 2005.

BSB